## RECEIVED Marshall Gensteth CENTER Page 8

NOV 1 4 2005

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Sub          | stitute for form 1449A/B/ | РТО                                     |            | Complete if Known    |                        |  |
|--------------|---------------------------|---|------------|----------------------|------------------------|--|
|              |                           |   |            | Application Number   | 09/866,311-Conf. #4324 |  |
| 11           | NFORMATIO                 | N DI                                    | SCLOSURE   | Filing Date          | May 25, 2001           |  |
| s            | TATEMENT                  | BY                                      | APPLICANT  | First Named Inventor | David A. Cook          |  |
| _            |                           |   |            | Art Unit             | 3745                   |  |
| l            | (Use as many              | sheets as                               | necessary) | Examiner Name        | F. D. Lopez            |  |
| Sheet 1 of 1 |                           | of 1 Attorney Docket Number 06007/37458 |            | 06007/37458          |                        |  |

|          |    |      |  | U.S. PA          | TENT DOCUMENTS              |   |
|----------|----|------|--|------------------|-----------------------------|---|
| Exam     |    | Cita | Document Number                        | Publication Date | Name of Patentee or         | Pages, Columns, Lines. Where                    |
| Initiati |    | No.  | Number-Kind Code <sup>2</sup> (#known) |                  | Applicant of Cited Document | Relevant Passages or Relevant<br>Figures Appear |
|          | 10 | A.   | US-4,953,723                           | 09-04-1990       | Saotome et al.              |   |
| 7        |    | B*   | US-4,969,562                           | 11-13-1990       | Saotome                     |   |
|          |    | C.   | US-4,995,517                           | 02-26-1991       | Saotome                     |   |
|          |    | D*   | US-5,007,544                           | 04-16-1991       | Saotome et al.              |   |
|          | 1/ | E.   | US-5,706,657                           | 01-13-1998       | Amborski et al.             |   |

"EXAMPLER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. "CITE NO.: Those application(s) which are marked with an single asterisk (") next to the Cite No. are not supplied (under 37 CFR 1.88(a)(2)(iii)) because that application was filled after June 30, 2003 or is evalable in the IFW. "Applicant's unique citation designation number (optional). "See Kinds Codes of USPTO Patent Down as www.uspto.cov or MPEP 901.04. "Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). "For Japanese patent documents is, the indication of the year of the raign of the Emparor must precede the serial number of the patent document." Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. "Applicant is to place a check mark here if English language Translation is attached.

| Examiner 77 | 1-1-11      | Date         | 7     |     |
|-------------|-------------|--------------|-------|-----|
| Transmin 0  |             | Dare 1 -     | 2/1   | . / |
| Signature   |             | Considered ( | 17010 | 1/2 |
| Signature   | 0 / 00 / 1/ | COLISIOGI DO | 1     |     |
|             |             |              |       |     |

NOV 2 1 2005

X

PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substit                | ute for form 1449A/ | B/PTO          |          | Complete if Known      |                        |  |
|------------------------|---------------------|----------------|----------|------------------------|------------------------|--|
|                        |                     |                |          | Application Number     | 09/866,311-Conf. #4324 |  |
| INF                    | ORMATI              | ON DISC        | CLOSURE  | Filing Date            | May 25, 2001           |  |
| STATEMENT BY APPLICANT |                     |                |          | First Named Inventor   | David A. Cook          |  |
|                        |                     |                |          | Art Unit               | 3745                   |  |
|                        | (Use as man         | y sheets as ne | cessary) | Examiner Name          | F. D. Lopez            |  |
| Sheet                  | 1                   | of             | 1        | Attorney Docket Number | 06007/37458            |  |

|                       |              | FOREI  | GN PATENT                                       | DOCUMENTS  |   |   |
|-----------------------|--------------|--|---|--|---|---|
| Examiner<br>Initials* | Cite<br>No.1 | Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | Publication<br>Date<br>MM-DD-YYYY<br>04-25-1984 | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear |   |
| 9/196                 | Α            | JP-59-073602   |   | Oba et al.   |   | 1 |
|                       | 8            | JP-63-265023   | 11-01-1988                                      | Kunieda et al.                                     |   | 1 |
| 900                   | С            | JP-64-066321   | 03-13-1989                                      | Kunieda et al.                                     |   | 1 |
|                       | D            | JP-01-256494   | 10-12-1989                                      | Kurohashi et al.                                   |   | 1 |
|                       | E            | JP-03-036194   | 02-15-1991                                      | Saotome et al.                                     |   | 1 |
|                       | F            | JP-03-036195   | 02-15-1991                                      | Saotome et al.                                     |   | 1 |
|                       | G            | DE-42 21 943 A1  | 03-18-1993                                      | Bronner et al.                                     |   | 1 |
|                       | Н            | DE-197 34 658 A1   | 02-18-1999                                      | Rausch et al.                                      |   | 1 |
|                       | I            | DE-199 31 027 A1   | 02-24-2000                                      | Hatcher et al.                                     |   | 1 |
|                       | J            | EP-0 483 393 A1  | 05-06-1992                                      | Saotome  |   | 1 |
|                       | K            | GB-2 327 076 A   | 01-13-1999                                      | Ratcliffe  |   | 1 |
| _ ¥                   | L            | WO-WO 95/08715   | 03-30-1995                                      | Bourgeois et al.                                   |   | 1 |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

|                      |                          | NON PATENT LITERATURE DOCUMENTS   |    |
|----------------------|--------------------------|---|----|
| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
| 9/10                 | М                        | Teleporter Service Manual No. 505122, Sanderson Teleporters 1994, A Division of Wordsworth Holdings PLC; Pages 7.3.1 to 7.3.3   |    |
| 1                    | N                        | European Standard EN1459; "Safety of Industrial Trucks-Self-Propelled Variable Reach Trucks," European Committee for Standardization; Text Ratified 11/27/1998; 12 pages.   |    |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional). 'Applicant is to place a check mark here if English language Translation is attached.

\* fremously cited

Examiner Signature Throny Date Considered 3/20/06



Approved for use through the Approved for use the Approved for use the Approved for use through the Approved for use the Approved for use through the Approved fo Under the Paperwork Red

| Subs  | titute for form 1449A/ | в/Рто           |         | Complete if Known      |                        |  |
|-------|------------------------|-----------------|---------|------------------------|------------------------|--|
|       | •                      |                 |         | Application Number     | 09/866,311-Conf. #4324 |  |
| IN    | <b>FORMATI</b>         | ON DISC         | LOSURE  | Filing Date            | May 25, 2001           |  |
| S     | TATEMEN'               | T BY AP         | PLICANT | First Named Inventor   | David A. Cook          |  |
|       | •                      |                 |         | Art Unit               | 3745                   |  |
|       | (Use as man            | y sheets as nec | essary) | Examiner Name          | F. D. Lopez            |  |
| Sheet | 1                      | of              | 1       | Attorney Docket Number | 06007/37458            |  |

| NON PATENT LITERATURE DOCUMENTS |  |   |   |  |  |  |  |
|---------------------------------|--|---|---|--|--|--|--|
| Examiner<br>Initials            | No.1 magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publis and/or country where published. |   |   |  |  |  |  |
| The                             | Α  | MANNESMANN REXROTH, Stabilising Module For Wheel Loaders Type MHRSM Series 2X, July 1996, 8 pages, England. |   |  |  |  |  |
| 1                               | B1   | GASE, Chargeuses Pelleteuses, June 1997, 8 pages, France  | 1 |  |  |  |  |
|                                 | B2   | CASE, 580 Ranger, Date Unknown, 4 pages, France   | 1 |  |  |  |  |
|                                 | B3   | CASE, Ride Control, October 1996, 2 pages, France   | 1 |  |  |  |  |
|                                 | С  | CASE, L Series 2, Loader/Backhoes, March 1999, 30 pages, USA  |   |  |  |  |  |
|                                 | D  | CASE, Technical Validation Report, March 1996, 7 pages, France  |   |  |  |  |  |
|                                 | E  | FLUTEC, Senkbrems-sperrventile SBV, July 1986, 4 pages, Germany   | V |  |  |  |  |
| V                               | F  | Gute Aussichten, Profi, September 1997, 4 pages, Germany  | V |  |  |  |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Examiner  | Date       |        | /  |
|---|------------|--------|----|
| Signature Muon                                    | <u> </u>   | 3/50/1 | 16 |
| distriction / / / / / / / / / / / / / / / / / / / | Considered | 112010 | _  |
|   |            | ,      |    |

<sup>&#</sup>x27;Applicant's unique citation designation number (optional). 'Applicant is to place a check mark here if a Concise Explanation of the Relevance is included.